

U.S.A. vs WILLIAM EDWARD FESSLER

No. 08CR1711-DMS

The Court finds excludable delay, under the section indicated by check (), commenced on 7/1/08 and ended on 7/10/08; (X7, XT1) _____ and ended on _____.

3161(h)

(1)(A) Exam or hrg for **mental or physical incapacity** A

(1)(B) **NARA examination** (28:2902) B

(1)(D) State or Federal trials or **other charges pending** C

(1)(E) **Interlocutory appeals** D

(1)(F) **Pretrial motions** (from flg to hrg or other prompt dispo) E

(1)(G) **Transfers from other district** (per FRCrP 20, 21 & 40) F

(1)(J) **Proceedings under advisement** not to exceed thirty days G

— Misc proc: Parole or prob rev, deportation, **extradition** H

(1)(H) **Transportation** from another district or to/from examination or hospitalization in ten days or less 6

X (1)(I) Consideration by Court of **proposed plea agreement** 7

(2) **Prosecution deferred** by mutual agreement I

(3)(A)(B) **Unavailability of defendant or essential witness** M

(4) Period of **mental or physical incompetence** of defendant to stand trial N

(5) Period of **NARA commitment or treatment** O

(6) **Superseding indictment and/or new charges** P

(7) **Defendant awaiting trial of co-defendant** when no severance has been granted R

(8)(A)(B) **Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance T

(8)(B)(I) 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.
(Continuance - miscarriage of justice) T1

X 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
(Continuance - tendered a guilty plea)

(8)(B)(ii) 2) **Case unusual or complex** T2

(8)(B)(iii) 3) **Indictment following arrest cannot be filed** in thirty (30) days T3

(8)(B)(iv) 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare
(Continuance re counsel) T4

3161(I) Time up to **withdrawal of guilty plea** U

3161(b) **Grand jury indictment time extended** thirty (30) more days W

Date 7/1/08

NCS
Judge's Initials